

LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT
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EVENT #: LLV200900007194
STATEMENT OF: Stephon Whitney

SPECIFIC CRIME:

DATE OCCURRED: 09/03/2020 **TIME OCCURRED:** 1718 Hours

LOCATION OF OCCURRENCE: Clark County Detention Center

CITY OF LAS VEGAS

CLARK COUNTY x

NAME OF PERSON GIVING STATEMENT: Whitney, Stephon

DOB:

SOCIAL SECURITY #:

RACE:

SEX:

HEIGHT:

WEIGHT:

HAIR:

EYES:

HOME ADDRESS:

PHONE 1:

WORK ADDRESS:

PHONE 2:

The following is the transcription of a tape-recorded interview conducted by Detective M. Cook, P# 2201, North Las Vegas Police Department and Detective J. Costello, P# 9139, LVMPD, Central Intelligence Unit, on September 3, 2020 at 1718 hours.

Q: Yeah. That's fine. (Unintelligible). Thank you. Appreciate ya. Hello again. All right Mr. Whitney. Today, I have a search warrant for your DNA. So, I gotta do a buccal swab. You had that done before where they swabbed the inside of your mouth?

A: I haven't gotten it done before, but I'm sure...

Q: You never had it done before? Okay.

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A: I'm sure (unintelligible).

Q: Okay. All right. So, again, because you are here and you are in custody and I am talking to you, I'm gonna read your rights. All right, you understand that?

A: Yeah.

Q: They're saying you have the right to remain silent. Anything you say can be used against you in the court of law. You have the right to a presence of an attorney. If you can't afford an attorney, one will be appointed before any questioning. You understand all those rights?

A: Yeah.

Q: Okay. So, again, you wanna just take a look of that real quick? Ah, you get a chance to talk to your girl?

A: Ah, yeah. Earlier.

Q: So, she let you know that we did a search warrant on the house?

A: Yeah.

Q: She tell you what all we took?

A: Um, no. she didn't really be specific.

Q: Okay. So, we took about 5,000 in cash. We took about a half-pound of weed and we took that burner that you had hidden in your headboard. So, I'm getting this DNA, buried in - your burner in the headboard. I'm also gonna compare it to them three burners that were in the - the van on, ah, (unintelligible), all right?

A: All right.

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Q: What's, ah, what's the story with your girls' son?

?: (Unintelligible).

Q: Is he your son?

A: What you mean?

Q: Is it your son or her son?

A: No.

Q: Okay, um, I found a bunch of paperwork in the house. Is he a special needs child?

?: (Unintelligible).

A: No. He, um...

?: You ready? Let's go.

A: What is it when you can't talk right?

Q: He has a speech impediment?

?: (Unintelligible).

Q: Okay. So, he is special needs because he...

A: Right.

Q: ...he's got the...

A: Yeah.

Q: He's got the speech impediment.

A: He go to speech class.

Q: Oh, he goes to speech classes? How old is he?

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A: Well, he was going to speech classes before all that shit.

Q: Well - before the pandemic happened?

A: Yeah.

Q: How old is he?

A: Just turned 8.

Q: Just turned 8. Okay. I saw his room. He's pretty a small boy. I just didn't know what his age was.

A: Yeah.

Q: Um, honestly, your girl, she's upset. Big time. Um, ah, she's, uh, she's pretty distraught over the fact that her house got wrecked. She's also distraught over the fact that she faces potential child abuse charges. So, um, having a firearm in the house and having it not be secured when you have a child at that age, carries a potential child abuse charge and then on top of that, ah, it's obvious to us that narcotic sales are going on there and so having a child in a home where narcotic sales are going on is a - is another charge. So I spoke to her briefly about it before she left last night. She had to go pick up her son and take - take him somewhere else and drop him off. She didn't want him to come home to see all that. What time do we got here? Um...

Q1: 17:19 for the, um, search warrant.

Q: But I just kinda wanna let you know where we at in the investigation. So, that's - that's a good possibility coming down the line for both you and her. So, um, I

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spoke to her before the search warrant happened and she indicated to me that she had no knowledge of any firearms inside of the house and that there shouldn't be any firearms. So, my question to you is, is she trying to cover for you, or does she honestly not know that you have a gun stashed in that room?

A: I don't know.

Q: You don't know?

A: No.

Q: Okay. That's fair enough. Um, let's be straightforward. Is it your burner?

A: No.

Q: You holding it for somebody else?

A: No.

Q: Is your DNA gonna be on it?

A: No.

Q: Is your fingerprints gonna be on it?

A: No.

Q: You understand you're getting charged with it, correct? It's in your bedroom next to a nightstand that has on your pills on it on your side of the bed. So you're going to be charged for that, an ex-felon in possession of a firearm. You're also going to be charged with a new count of possession with an intent to sell. I seized your money. How much money did you have there?

A: I'm not sure.

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Q: Can you give me a ballpark number of how much money you think you had?

A: That was our money from, um, when she was getting her, um, getting her unemployment. So, it's, like, 3,000 I think - 2500 or something like that.

Q: Out of curiosity, why hide it there?

A: Why hide what?

Q: Why hide the money? Why not put it in the bank?

A: Why I hide the money?

Q: Yeah.

A: I mean, people burglarize stuff. So, it's like...

Q: Wh- well, exactly why I would put the money in the bank. Ain't nobody burglarizing the bank.

A: Neither - neither one of us have a bank account though.

Q: How old are you?

A: 30. I just had one. It got closed though.

Q: Okay. Well...

A: That was about a year ago.

Q: I mean, you walk in with three bands, any bank in town's gonna open up an account for you. So...

A: It's possible, but...

Q: It makes sense?

A: The responsibility of it is a lot.

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Q: There's no...

A: Basically gotta pay to keep a bank account open.

Q: Well, not if you keep a certain amount of money it. I think if you keep over \$500 they don't charge you.

A: But you gotta withdraw a certain amount in a certain amount of weeks.

Q: I believe there's a minimum amount of activity that you need to...

A: That's what I'm saying...

Q: ...to keep it going.

A: ...that we don't want, um, do any processing consistent enough to even have that.

Q: Okay. That makes sense.

A: So, the - the bills and all that stuff, that's a once a month thing pretty much 'cause they all fall around the same time.

Q: Okay. Um, your PO wasn't there when I served the search warrant, but I sent him the - the information about what we found...

A: Okay.

Q: ...and all the, ah, the photographs, um, your already on for a sales case. What did you get convicted of selling the first time?

A: Um, coke.

Q: Coke? Okay. This time I'm charging you with selling weed, um, you had a whole bag of shake. What's up with that? Anybody buying shake?

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A: A whole bag of shake?

Q: Yeah. It looked like a whole bag of shake you had.

A: If it was that's because that's where she smoke - that's her little smoke and the...

Q: So, you're saying all that weed is her?

A: You said all that is shake? Is that what you said?

Q: Not all of it, no. I got about a half of pound of weed.

A: I'm saying that's what she smoke.

Q: She smoke shake?

A: She smoke weed.

Q: Okay.

A: But if you go buy weed from the dispensary a ounce at a time it'll add up. Not smoking an ounce a day.

Q: Okay, but this ain't no dispensary weed. You and I both know that. We - we can cut that 'cause this ain't my first day on the block. I mean, you got the big - two big, ah, two big jars of weed there partner, ah, that - that ain't dispensary weed. It was actually still in the plastic bag that you originally purchased it in when it's from sale from somebody else (unintelligible) what strain it is. I don't remember what the little, ah, sticker on the big plastic bag was, but you just trying to trap and keep things going during hard times during COVID or wh- what's your deal man? I've never met you before. I don't know anything about you. I haven't even heard about you.

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A: I never met y'all before. That's why I didn't understand it was so much aggression towards someone y'all never even encounter before.

Q: I didn't feel there was any aggression.

A: I did.

Q: What did you feel was aggressive?

A: What I felt was aggressive was the fact that on one hand I'm being asked questions to make whatever the process is lighter, but on the other hand, when I'm asking those questions I'm just being dismissed because I guess it's not the exact thing that they was wanting to hear at the time - that y'all was wanting to hear.

Q: Who did you - let's put it like this...

A: I j- I don't even know...

Q: ...who was dismissive?

A: I don't even know if it was you 'cause I don't even recognize your face really.

Q: I briefly talked to you at the beginning of the whole thing.

A: That's what I'm saying, like, I don't even recognize you really. So...

Q: You recognize my partner here?

A: I recognize him.

Q: You - you and him had a conversation for a while.

A: But it was, like, five of them in there. I'm not saying he personally did something. I just felt like, you know...

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Q: Those were the - the VMP people.

Q1: Those are your probation officers. So...

A: But see this is - this is the thing with - with that, my PO called me two months ago, right?

Q: Okay.

A: ...and told me that - because I been, up until this situation completely complying with my probation. I been on probation since July of last year. I've had a curfew. I've had a - I've - I had a U.A. the first month thought, but I told them that came from - I was smoking on my way to sentencing.

Q: Okay. So...

A: So I - 'cause...

Q: You - you smoke weed?

A: Right.

Q: Got it.

A: But, um, the only requirements that I had from a judge was my counseling. I did my counseling flawlessly. I was paid up on my fees up until, you know, all this shit broke out - the COVID shit and all that.

Q: Mm-hm.

A: You know, but like I said, I was complying with everything. I had never been out of curfew, never - nothing. All I was doing was working and program, you know, so, um, she called me and she tells me, like, um, I'm gonna be transferring your

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case. So when she tell me that I'm, like, "Okay. You know," um, "I haven't seen you in about a month," you know, since I checked in, but I was expecting her instead of calling me to come by.

Q: Mm-hm.

A: You know so...

?:(Unintelligible).

A: ...she basically tells me, like, "I'm gonna come by and I'm gonna have you fill out your last monthly report and then," um, and "then basically I'm gonna - Imma - Imma transfer your file over," you know? After that, I don't hear from her anymore.

Q: Can I...

A: I don't...

Q: ...a- well, you said you complied with all your conditions. What were your conditions?

A: The only thing the judge specified me to do...

Q: Mm-hm.

A: ...like what I had to do was counseling - treatment.

Q: Did you have a work requirement or anything?

A: Well, that's - that's just a part of the program in general.

Q: Oh okay.

A: To stay employed and...

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Q: Okay.

A: ...you know stuff like that, but your - your conditions are basically, you know what - what she's getting off of you based off of what she's knowing off you.

Q: Okay.

A: Like, what type of treatment you need. You know, the process of going on with you.

Q: Yeah. Like a rehabilitation center.

A: So I did that flawlessly. Right. So I - I - I did that flawlessly. They discharged me from - when I got discharged, it's around the same time that she told me that she was transferring my case over.

Q: Okay.

A: You know what I mean? After she did that, I didn't hear from her no more for, like, really at all.

Q: Okay.

A: I went two months without hearing from anybody at all...

Q: From the parole and probation center?

A: Anybody.

Q: Okay.

A: So the first time I heard from that PO...

Q: Uh-huh.

A: ...was the day he called me and told me he was coming to see me yesterday.

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Q: Okay.

A: So what I felt was aggressive was because he was telling me that, um, I'm purposely being, m, you know not truthful to him or telling him something that's not in, um, in compliance with my probation when I didn't know you was my probation officer. Bro, I never seen you before a day in my life.-

Q: Okay.

A: When you pulled up - when I came outside, because he called me and told me, "I'm outside. Come outside," when I come outside bro it's three trucks and like five polices standing around. No - no uniforms differentiating from, um, probation officer.

Q: Mm-hm.

Q1: Except that was all probation - everybody who was at your house was from probation.

A: That's what I'm saying? How do I - how am I suppose to know that?

Q: No. I - I understand.

A: I never seen him a day in my life and I'm not saying he did, you know, anything malicious or none of that...

Q: Mm-hm.

A: ...'cause he, you know, more than likely from his point of view went with protocol, but as soon as I came out, you know, he put me in cuffs and, you know, the first thing I asked him, "Am I under arrest for anything? What's going on?" he, like,

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"No you just being, ah - ah, detained." I'm, like, "Okay," you know, um, so it was casual up to that point, but once they - I forget what exactly what was said, but it gave me an inclination again that I'm being charged with something. So, I asked him again, like, "Okay, am I under arrest though?" and that's when one of 'em say, "Yeah. You under arrest and we gone read you your rights," and all that. So, I'm like, "Okay," you know, I got the right to remain silent, whatever, but right after I'm read my rights, I'm being asked more questions and I'm being dismissed from being, you know, as in - as in, I'm being dismissed as in not being truthful or not wanting to be cooperative when in my mind, "You just read me my rights." I'm thinking that this is the end of the program for me. You can take me out of here. You can search me or whatever you want.

Q: I - I think what the confusion with you is, there was two totally different things going on and if you have a moment, I'll explain. You had the incident that occurred on (unintelligible) side day where the man got stopped and you were there, and you lied about your name. so that was the - that was the unlawful providing false information to a police officer. There was a curfew violation. Obviously, there is a violation for being with other probationers and felons and gang members and narcotics and marijuana, all that.

A: Right.

Q: So, your probationer knew about all of that.

A: Right.

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Q: There then became a new issue when your probation officer found the two magazines in the closet. Does that make sense?

A: So, they became separate issues?

Q: Yes. So initially, you had an issue with probation because one of your conditions of probation is to comply with law enforcement...

A: Right.

Q: ...and by providing the false information, you were not complying and that's part of the agreement you signed. So that was a separate misdemeanor issue that had occurred a few days prior. The new issue arose when your PO found those two loaded magazines in your closet. That becomes a whole separate thing because you being a four-time convicted felon, you're aware you can't have firearms, correct?

A: Yeah.

Q: So when he pulls out the two loaded handgun magazines from your closet, that changes from, "He lied about his name last week 'cause he was on the way to the hood and he didn't want to get fucked with" to, "Okay, now he's maybe got firearms hidden inside his house and he's lying to us." So that's most - I can't speak to why your - why your probation officer's demeanor changed, but that would be my - my guess is that it moved from one thing to something totally different. Does that make sense?

A: But what I'm saying is from my point of view, I don't have consistent knowledge

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of these processes. I've been in, you know, in trouble, a few times in my life.

They just been for, you know, different things in a different time period.

Q: Mm-hm.

A: So, I'm under the impression for my whole life, once you read me my rights, that's pretty much the end of it all. I never had a run in with, you know, (unintelligible) tied into nothing else.

Q: Okay.

A: I don't know that you can separate situa- I had no knowledge of that.

Q: No.

A: He said that I'm not being compliant about something, like, "Man, I don't have no problem whatever - whatever it is that you asking me for and speaking to you if I have knowledge that I'm speaking to my probation officer"...

Q: Mm-hm.

A: ...about something that has to do with, you know, my probation or...

Q: Absolutely.

A: ...but all I see is everybody in the same uniform. One person over here is reading my rights. The other person over here that I'm not even sure is even paying to me - attention to each other is asking me questions pretty much at the same time I'm being read my rights.

Q: Okay.

A: That don't even feel like it make sense to me at that time.

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Q: Okay. I understand. It's...

A: You understand what I'm saying to you?

Q: It's probably overwhelming. Law enforcement shows up to your house, I mean, they put you in handcuffs. I - I understand. Your probation officer is doing his own search. Um, just - the reading of your rights is something that is constitutionally guaranteed to you. So, just like when I come and speak to you know, you're not free to leave. You can't get up and walk out of here, right?

A: Right.

Q: So, because I'm law enforcement and you're not free to leave, the constitution guarantees you certain rights. So if I'm gonna speak to you and have this conversation with you like we're having right now, it's my responsibility as the keeper of the law to make sure you're afforded your legal rights and that's why before I speak to you, I read you your rights and then I explain to you that we're - we're doing the search warrant and everything else is going on. I - I don't want there to be confusion and that's why I'm taking this extra time to explain. Does that make sense?

A: Yeah. It makes sense, but you know...

Q: Does that clear things up a little bit for you even about what happened yesterday?

A: It - it - that's what I'm saying, future references, it's all good because it - it - there's an understanding now.

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Q: Mm-hm.

A: I'm saying in that moment, in that situation, it can go from zero to fucking 60 that fast...

Q: I got it.

A: ...with, you know, five different officers all with they different...

Q: It all...

A: ...approaches to me.

Q: It seems overwhelming. I got...

A: They all had a different approach to me.

Q: I got you. I completely understand.

A: 'Cause at one point while I'm engaging with one officer, trying to get an understand of exactly what the communication is between me and him, there will be another officer that has his own agenda for what he's interested in me in and he wants to know and all these things are happening at the same time and all these guys have the same uniform on. When I go see my PO, he's not dressed like a police officer on the street.

Q: You're use to just checking in and out of the main office, correct?

A: That's it.

Q: Okay.

A: But even when they come to the house...

Q1: All right - all right.

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A: ...you know, I don't process them and identify them as, you know, Metro cops at the door.

Q: Mm-hm.

A: I know they're officers.

Q: Yeah.

A: I'm saying, but, you know, I don't look - I don't see that as, "This is a Metro cop at the door." I look at it, like, "This is my probation officer," because I - I know her.

Q: Mm-hm.

A: You know what I mean?

Q: Yeah.

A: I'm - I'm familiar with her. So, I - I don't need to - when you familiar with somebody - if I'm familiar with your face, I'm not gonna check out anything other than your face on a regular basis. You understand what I'm saying? Like, if - if we just happened to run into each other and I see you familiar like in a Wal-Mart or something, I'm not gonna look at your clothes and try to determine what type of officer you are because it's the familiarity, but if there's no familiarity in your face and I'm trying to get some type of understanding of what you are, but it's five of you guys dressed the same, it's only two answers to me. Either all of y'all are P&P or all of y'all are officers.

Q: Okay.

A: You understand what I'm saying?

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Q: Yeah. Absolutely.

A: So, that's where...

Q: I can certainly see how it seemed overwhelming with everything that's going on.

A: So that's where the confusion came, but that's what I'm trying to explain to them that, you know...

Q: That's probably - that probably wasn't your initial...

A: You see what I'm saying?

Q: That wasn't your normal P&P contact from the start because the other one left you.

A: They all - and so it wasn't malicious on my part to, you know, um, to dismiss whatever it was that they was requiring of me.

Q: Mm-hm.

A: It was just that because it was so much going, I didn't want to be caught in a situation to where I'm trying to please everybody that's looking for some type of question from me and then me thinking in my mind that I'm just simply asking a question and then it get crossed over with something and the majority always rules. So, even if I tell you, I mean, "Man, I didn't even understand what you were trying to," that's not gonna matter.

Q: Okay.

A: So, to prevent all that, me trying to process all this shit as fast as I possibly can, Imma just shut down because if - if I tell you it's over- overwhelming to me and I

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tell you I can't understand all of, you know, what it is that y'all trying to get across to me at the same time in the - in the - in that moment? Nobody's gonna, you know, digress and try to see exactly what it is that I'm trying to figure out.

Q: Like, with your probation...

A: Right. Because even when I saw - because this is a different energy though.

Q: Mm-hm.

A: I have no problem with this approach. I don't feel fearful. I don't feel - you can close the door if you want to. I don't feel threatened. I don't feel aggression, none of that. Your whole vibe is different, and I'm not saying that's from you personally. I'm just saying, you know, the approach and the time, it matters though.

Q: Absolutely.

A: Because if you feel like you're being poked at, you're gonna shut down because you don't wanna, like, "What the fuck is y'all - what the hell's going on?" Like, "Is one person gonna ask me thing?" because on one hand one person reading me my rights, on the other hand the other person is telling me I have to talk - and talk to him, but he was telling me that I was- wasn't complying from the jump, but I didn't even know you was my probation officer. I never even seen you before. I've been going two months without supervision. Not one time did he call me during that - during that absence and introduce his self to me and say, "I'm such and such," and, you know, it - there was none of that. She told me who his name

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was that she was transferring over to, but I can't place a name with a face that I've never seen before.

Q: Absolutely.

A: I'm not gonna just, you know, racially profile you and say, "Well, the name she gave was Hispanic. You must be such and such." People will be offended by that. You know what I mean? You will look at that, like, "Bro, how you just gonna assume that I'm just like a - a - a Jorge or something?" You know what I mean? Like, it would just come across the wrong way. I don't know that dude from nothing. So when he was getting mad at me for not being compliant, "Bro, I don't even know who you are," you saying I'm not compliant - he was saying I wasn't - I was intentionally uncompliant with my probation officer. "Bro I didn't even - I've never met you before. How am I gonna dismiss you as my probation officer? I never even met you."

Q: Right.

A: I don't know what's going on.

Q: Okay. We're not probation. He's Las Vegas. I'm Las Vegas Metro.

A: Yes, sir.

Q: So, we - we're on a whole different (unintelligible), all right?

A: It's all the same thing. You know...

Q: So...

A: ...but they - they basically, you know, why I said the aggression came from them

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because once that confusion got into play like that and the opinions came into the atmosphere and they felt like I was being, you know, um - um, uncompliant...

Q: Disrespectful or whatever.

A: ...or I was being disrespectful and all that, now everybody's on the attack though. Everybody energy changes at that point. Everybody is on the attack. There's no, you know what I mean, "Let's - let's try to see what's going on. Hold on. Let me talk to him." It wasn't none of that going and you could clearly see that, bro I'm pretty much confused. He didn't tell me that you was, ah, um, bringing to my attention of what he was even coming here for. You understand what I'm saying? You di- you didn't - you didn't ask me about nothing or nothing. So I'm thinking it's a regular process which is rightfully so, you don't have to tell me...

Q: Mm-hm.

A: ...but the initial shock of it is, like, "Okay, what's going on? Okay. Who are you? You grabbing all on me. I know you the police, but what are you here for?" because he just started off by asking me questions and I'm, like, what - what - what happened though, like, why - you know you - you can't just say, ah, "Oh yeah, ah, give me your and, ah, so what you do this weekend?" I'm, like, "Bro who are you? Where you come from? I don't know you from nothing. I'm not dismissing my probation office bro." I was unsupervised for two months.

Q: I gotcha.

A: I had no problem if they popped up eight times in those two months.

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Q: Or worse, ah, did he piss test you yesterday?

A: No.

Q: No? I think they're either gonna stop by here tonight or you're gonna get transferred over to CCDC when your case here is done and they're gonna U.A. you. You're gonna be clean?

A: Yeah.

Q: Okay. Um, what questions do you have for us?

A: Um, I'm just curious of what the process is.

Q1: So, you have - the process here, you were booked in on the obstruction for a (unintelligible) here.

A: Okay.

Q1: Okay. You have a probation hold and you're getting other chances. So you'll probably be transferred over to CCDC.

A: Okay.

Q1: Um, then you'll go to court on the new charges and you'll probably have a separate revocation hearing where the judge is going to say, "Okay, give him another chance or we revoke it."

A: Okay.

Q1: All right. Um, and from there then you - if they revoke you, you're gonna sit in CCDC for a couple days till you get your ticket out or, um, you'll sit in CCDC to, ah, to add some chargers on the new charges 'cause that ain't gone be resolved

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until weeks - months from now.

A: Right.

Q1: And then from there, you know, you'll either go up or whatever (unintelligible).

A: Right. So - 'cause when I talked to her, you know, the only thing she pretty much indicated to me was that she called my PO.

Q1: Who is she?

A: Um, ah, my girl.

Q1: Okay.

A: She said she called my PO and she...

Q: Can I just stop you for one sec. Two girls showed up out there last night. There was the white girl that was at the house with you - well, actually three girls.

A: The black girls is my family.

Q: Okay. 'Cause there was a skinnier black girl and a heavier black girl that showed up out there.

A: That's - that's my sister and my niece.

Q: Okay.

Q1: So, your sister said you the only brother left. What does that mean?

A: I'm the only brother left.

Q1: What, um, did you have other brothers? I'm just asking.

A: Um, I don't even like talking about stuff like that man.

Q1: Okay.

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A: It's - it's, you know.

Q1: I - you - I respect it.

Q: No - no - no disrespect.

Q1: Okay.

Q: We're just - we're trying to get clarification because she was talking to us after the - the officers took you away.

Q1: She - she was screaming at me that, "That's my only brother left," and I'm, like, "Okay. Well..."

A: You know what the bad thing is man? And I'm not a sympathy person. I don't - I can care less bro, like, honestly it wasn't even on my mind to even take probation. The only reason I even took probation bro - I was already still wired from being incarcerated. You dig what I'm saying? I was institutionalized still.

Q: How long did you do on your first bid?

A: Altogether about nine and a half years. I went in there at 17. I got off parole at 27.

Q: Okay.

A: You see what I'm saying? So, it wasn't - I - I had no issues in taking probation because it was irrelevant to me because in my mind I felt like I might as well just go ahead and get it over and be able to get back out to do what I wanna do. Then I found out I had a son on the way. Then I realized that I have a family. I never had a family before bro. I never been responsible for anybody. I mean,

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your nieces and things like that, it's different. You know what I mean?

Q: Mm-hm.

A: Like - but people that you are directly responsible before, I never had that before.

Q1: When it's your blood.

A: When it's mines.

Q: Yeah.

A: So, at that point, you know, everything changed for me. It was, like, there was no way I could be selfish enough to say I'm gonna go voluntarily sit in prison and just sit and do nothing until that time comes knowing what type of responsibility I had. You understand what I'm saying? So, I convinced that judge to give me probation. I convinced him to do that. It was my intention to go in there and not say nothing. I'm not gonna plead for you to let me out because I just really wanna go and get whatever time it is over so I can get back to doing whatever I be doing. You know what I mean? So, what I'm saying is the whole - this whole situation came about because something changed for me. Then once I lost son right after I lost my last brother, on top of not having any other male anything's around, I don't know when the last time I spoke to my father. You understand what I'm saying? You gotta think. I went to prison at 17-years-old bro.

Q1: You became a man in prison. You grew up in prison.

A: I grew up - my life happened in prison.

Q: Mm-hm.

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A: So, the same thing I was explaining to the judge, my whole slip up with everything is me still trying to - I'm still learning life. I haven't even been on the street five full years yet still to this day right here. So, everything - and it's not like - like I just said, it's not on no sympathy shit trying to get you to look at me different or a judge to look at me different. I'm paitnin' a honest picture of who I am to you. This is the honest - the most honest painting I can give you of myself. So, it's like, man, I'm - I'm - I'm figuring shit out, out here. The same thing I told the judge. When I got off of parole, there was nothing. There was nothing. There wasn't a - a - a residence. I couldn't sleep on anybody couch until I got my shit together. I couldn't - I didn't have a girlfriend at the time. You understand what I'm saying? Like, when everything's from scratch, it's different from that point. You're more than certain to make mistakes because you're gonna naturally go back to the basics of how you manage to...

Q1: Are you doing all right? You're surviving.

A: ...to go about. I need some help because I'm out here by myself.

Q1: You were surviving.

A: There's nobody that I can even think of to call to even ask for a little help to get me by so I can make a better decision. It's never been like that and when the times are so critical, there's no way I can afford not to make a decision on what it is that I need to do and wait for something better to come. I didn't even have the luxury of that. So, when she said, "That's - that's my last brother," you know, it's

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- it's not even about the brotherness. It's about - that's the - the last man that's around right there. Everything I ever did has been, you know, um, it always came from a positive place. You understand what I'm saying? Nothing that I ever did that I say shit that I've ever been caught for or anything, it's never been malicious. It's a reason that this is the first time me and you ran across each other. I know who you are bro from your name. I know who you are.

Q1: Oh, you heard his name?

A: I know who you are from like - from your demeanor. It's - it's - it's easy to kinda, you know what I mean, to see how people react to somebody, like, "Ah, that must be the legendary," you understand what I'm saying, but...

Q1: Oh, the legendary, huh?

Q: Careful. His head's getting big. No. I'm just messing.

A: And you know it's - it's - it's just like, you know, it's just, like, nothing I ever did came from a malicious place. Even - okay, look, I'm a person - I don't - I don't - my son is gone. I don't have friends or none of that shit bro, like, even if this was a life sentence right here bro, it would have the same effect on me. Honestly, because it's like it never changes. Time goes by and time progresses, but nothing ever changes.

Q1: You gotta make that change.

A: And I put all effort into making that change.

Q1: You are that change.

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A: I was working consistently up until this COVID shit happened.

Q1: When'd you stop working?

A: About, close to April.

Q1: What were you doing for work?

A: That's when they first started shutting it down - a cleaning service.

Q1: Cleaning service?

A: We was, like, cleaning up PetSmart and, um, doing people's homes and stuff like that.

Q1: Okay.

A: Ah, mobile homes, you know, anything anybody called in to get clean.

Q: Was it a side hustle or...

A: No. It was - it was a job.

Q: Oh. It was like a legit...

A: Yeah. It was a job.

Q: Okay. It's a company.

A: It was Desert Breeze - Desert Breeze Cleaning Service.

Q: Okay.

A: You know it was basically, like, people who work out of town and stuff like that, they can basically, you know, set up like a subscription with you.

Q: Mm-hm.

A: You know, give you \$35 or something and you come twice a month to clean their

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house up.

Q1: Okay. While they're out of town.

A: Or if it's a company, they can give you a contract and give you two or three days to clean the whole store up. You know, strip the floor. Polish it back. You know what I mean, for a lump sum of money. The owner of it gets it, but he supplies the workers and stuff like that.

Q: Mm-hm.

A: I was doing that for - bro I've - I don't even - I don't know if you can contact my PO to see that, like, if that's ever relevant, but she can prove that I've been complying with my work and all of that consistently up until COVID happened. So, it's not like you know the whole time I'm existing and I'm being out here that I'm doing whatever the fuck it is that's going on. This type of shit.

Q: Okay. Well, so let - let me ask then. Is this - is this a result of shit go sideways so you go back to what you know?

A: Man, this is a result of I have people depending on me and I don't even - I'm nowhere familiar with that type of pressure.

Q: Well, this is the first time in your life that you've ever been responsible for anybody other than you.

A: Exactly. That's why I said I'm not familiar with that pressure because for me to step back and say, you know what, if it was just me by myself, there's no way I would even be half stressing about whatever the fuck is going on because if

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anything I can bop myself, you know, around and around to wherever the fuck, but when you have people depending on you, I gotta stay put now. Just because COVID is going on don't mean that people is just gonna sit and watch they family whither away.

Q: Absolutely.

Q1: Yeah. Absolutely.

A: There's no way. I washed cars bro. I still - whatever, you know, skills that I learned from that - that fucking cleaning shit, I still tried to put that into action. It's just that without the professionalism of it, there's not much business for somebody like that.

Q: Mm-hm.

A: People's not gonna welcome you into they home, you know what I mean? Just...

Q1: You're doing what you do to try to get by.

A: Man, I don't know...

Q1: I - I didn't think you were Pablo Escobar man. When I find a half-pound of loose weed, some scales, and a baggy, I'm like, "The guy's got a girl and a small kid. The kid's got special needs. He's trying to take care of them." I - I get it. "He ain't the - he ain't the, ah, city's largest drug dealer. He's not, um," like I said, "He's not Pablo Escobar. He's not the drug king pin of Las Vegas." So...

A: But I mean, that - that - all those details like that, they all will go unnoticed though. They always do because all this...

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Q1: No - no. That doesn't change the facts. The facts are the facts.

A: I understand that, but the malicious intent of somebody could deter how you feel about their behavior. If I know that a kid is maliciously breaking stuff in my house because he's excited about breaking it and I've already let him know that that was a bad thing, okay I punish you for that. But if I feel like you breaking stuff because you're a kid and you're stuck in a kid mentality of not being able to actually process that this is as bad as it is, I'm going to deal with that kid differently. The same way I deal with her - her kid differently. He has a speech impediment, which causes him to behave differently when he's trying to communicate.

Q1: Absolutely, he's frustrated...

A: He's frustrated.

Q1: ...'cause he can't get his message across.

A: So early on, when I'm trying to communicate with him or listen to something that he's trying to tell me, he's interested in me. I'm getting frustrated because I don't know if I'm dealing with this the right way, like, do I just sit and wait for him to get him out, do I help him, or do I try to figure out what he's trying to say? But when he gets frustrated and he does too much or, you know, he - he screams or something like that, I can't treat him like the regular kids that's - that has the regular mentality that knows shouting at a - at an adult is a bad thing because he's stuck in the - the mind frame of somebody who's not really able to

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comprehend that just because you're frustrated, that don't give you, you know - you know, any type of, you know, leverage to feel like you can impose yourself on the communication. Like, if we riding in the car and I'm just talking to his mom and he trying to explain something to me and I'm thinking that it's just a kid talking and whatever, but he's getting frustrated about it and he yells, like, "Is it my turn? Can I talk?" like, "What - what's the problem? I didn't know it was that serious. I thought you was just talking shit to me." Like I didn't think it was a big deal. You know? So, that - that's what I'm saying as far as, you know, somebody who's in a mentality that they only know.

Q1: You're in a survival mode. That's what you're in. That's what you're saying.

A: Man, look...

Q1: And - and that's natural. That's for anybody, me, him, you, we gone do what we gotta do to survive. Now, we may take different - you may think Las Vegas Boulevard is the way to survive. He may think Carey and I'm gone take Civic Center to survive. They - they different roads, but we all got survival on the brain. So, I get what you saying. I 100% - don't think that we don't. This one of things that you said you have heard about me and you probably heard, ah, "He - he out here and he grabbing up on the gang members. He doing this. He doing that," but what you don't hear...

A: Not even that.

Q1: Oh, no okay, but okay, even if it's not that, they're program we made calls to, for

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people that have worse records than you do to get them jobs, to get them going even in the middle of a pandemic. So, you can - don't - and - and you don't know, but you - don't let what you been through hinder you from going on. Don't let what you been through keep you from going on.

A: I been to those programs and the communication always falls apart.

Q1: Why? If you been in any...

A: Because the distance.

Q1: If - the distance from who?

A: Distance. 'Cause when I get involved in those programs, I'm usually in a halfway house or something like that and it's kinda just taken as in you doing something you wanted to do, but you know where the communication falls is when I'm not even, you know, in a position to even keep up the program because I'm in a whole different environment now than when I was at the halfway house or when I was living at my mom's house and it wasn't that far away from whatever the situation of this program was.

Q1: Mm-hm.

A: Now that I'm off parole and I can't stay at mom house anymore because her step, you know, or - or, you know, her husband or whatever the fuck is, like, I did what you did what you wanted me to do for you, but that - now that shit is, like, "What are you gonna do then?" and I'm across town somewhere. Bro, like I can't...

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Q1: Here's the deal.

A: I - I can't even navigate. I - I - I don't have the license at the time. I'm nowhere near having a car. Getting on a bus to get fucking from Tropicana to fucking Washington. From fucking Trop and by the fucking or Rio or whatever the fuck that is to get fucking to Washington and back all the time, even past Washington sometimes. It's, like, it's damn near possible. This is what people have for jobs where they work when they don't have transportation.

Q1: Damn near, but it's not impossible and so, he- you - nothing worth having never came easy. Nothing. And - and yeah, you got a record. So it's a little bit harder. You signed the rights from here where people without records is starting here. I get it, but here's what you got to do, you got to push yourself. Don't worry about the distance. Put together a strategy to one that works. That's what you need to focus on. Getting in the right place and the right position to move forward. Now that being said, I don't know a- about male figures in your life. We don't know that and quite frankly that sucks that you didn't.

A: Man, I grew up in prison bro.

Q1: I get it. I - I...

A: I've been visiting prison ever since I remember how to tie my shoes bro. I grew up - my father, not even just him bro. Every male figure in my family was in prison during my upbringing and by the time they came out I was going in. So the program of incarceration it's - it's always been wired into me. You know what

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I mean? Like, that - that's - that's just what that was. Nobody was ever around unless it was that.

Q1: You gotta get rid of that mentality. You gotta break that cycle.

A: That's easier said than done man.

Q1: I - I - I get it, but you gotta push - you gotta get - you gotta push yourself too.

Nothing's going to be given to you because you been incarcerated. Nothing was given to him. Nothing was given to me. So, don't get out with that expectation that the - you see - if you been incarcerated since you was 17, we didn't have Facebook back then. We didn't have a- all of this technology and all of this stuff that we got right now. So, all of this stuff is happening. The world is evolving. Politics is changing. People are changing. People are moving on, leaving you, dying, staying, calling you. All of that changes and you are in a room like this. I get it. That - that would - mentally, that would mess me up, but at the same time there are programs for you to help you. John Connolly hope for prisons. Some people like him. Some don't.

A: I did hope for prison.

Q1: Okay.

A: The - the complication came because even though I was involved in that program, I still had to - to work and...

Q1: And feed your family and survive.

A: ...survive. So, like, the whole thing couldn't been about programming and

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programming for me. I still had to earn and live though.

Q1: But you - you gotta...

A: That's - the priorities came in. 'Cause it's, like, at - at - at what point does the program become worth more than me taking care of myself and the people that's depending on me.

Q: You gotta think long-term though. There's - you gotta think about the situation right now. I get it. You were in a survival mode. This here is a result in being in survival mode and trying to do what you needed to do to overcome a - a bad spot with a global pandemic and an economic shutdown and everything else, but the old ways of doing things got you where you're at now. They got you in prison the first time. Potentially another time. I mean, if you keep doing the same, you know, and this is what I had a - a teacher in high school. She kept telling me, "Josh, you keep doing the same thing, you're gonna get the same results. Until you change something and do something different, you're gonna get the same outcome and you come in here and talk to me all the time you don't like the outcome, but you keep doing the same thing Josh."

A: I was though.

Q: So she slap me upside my head and told me to do different and thank God she did 'cause, ah, I made a positive change 'cause there's a good possibility if she wouldn't have done that while I was in high school, I might be sitting right beside you wearing the same jumpsuit. So...

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A: And I mean, at one point that's where I thought I was going. I was working every day. I had - family good, but then all of a sudden I look up one day and everything shut down. There's no work for anybody. People who been working all they life and don't even have a record don't even jobs.

Q: Yeah. Mm-hm.

A: That shit is discouraging.

Q: Absolutely.

A: Because the first thing you think about, "Man, if these regular families who don't do nothing but depend on, you know, this type of program as, you know, to sustain they self in life is out here complaining about not having unemployment and things like that? What the fuck hope is there for us?" What hope is it for anybody else that's nowhere near as - as, you know, um, as eligible as these people?

Q1: I - I don't know what your - your belief system is. I don't know what your - who you believe in, but don't let doubt overrule, ah, ingenuity. Don't let doubt stop you because these people didn't get it. That doesn't mean anything. Some people need street smart people. I don't need - I don't need the square around the corner. I need you 'cause you know how to put something together. I don't need - I wouldn't call, ah, anybody in the Trump family to put anything up for me because you know why? They don't know how because they had people putting stuff up on the walls for them. You know how to work with your hands. Don't let

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doubt stop you. Don't let the devil do that to you because just like I was saying, there's hope for prisoners. There's today. There'll be (unintelligible) tomorrow. We called over there, "Aye, could y'all hook this square up for a job?" No. "Nope. We don't normally do that for people like him." Our - our thing is for people that have records re-enter.

Q: Yup. We specialize in re-entry. I rather not give employment to someone who's not in the re-entry phase because these jobs that we work to obtain are for people who are in re-entry that need them. This other individual isn't in the same circumstances as the folks in re-entry are. "So, although I respect the fact that you're calling and trying to help this individual get a job, um, I'm gonna need to decline because I need to save these jobs for people who are in re-entry who are in a different set of circumstance."

Q1: That was in the middle of the pandemic.

Q: Yeah. That was about two weeks ago. So, I said, "Hey, this - this - this man, he needs..."

A: And see that where the complications come in at though 'cause had I had contact or even consistent supervision during that time, maybe I could've siphoned that information from somewhere. We couldn't even go inside the P&P building this whole time.

Q: Mm-hm.

Q1: Mm-hm. They gotta protect themselves.

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A: I tried to turn something in, they peeking out the door like I'm at the wrong house or something. You understand what I'm saying?

Q1: Mm-hm.

A: Nobody's calling. Nobody's showing up. I called down there for...

Q1: But the whole world - the whole world was turned upside down right now. They - they - they gotta protect them too.

A: I don't know - so what I'm saying, I don't know...

Q: I - I understand.

A: You understand what I'm saying? From somebody who already has a certain type of point of view because of how I know things to be and how they have been...

Q1: Mm-hm.

A: Just - just, you know, everything can't be about, you know, you have to always, you know, be strong enough to think, ah, higher than where you're thinking at in most of those times. It can't be about that all time. Sometimes the help has to be extended and somebody has to instill some information to.

Q1: We're standing here right now instilling information. I hope you take it. I hope you're willing to.

A: Listen, it's just...

Q1: Listen, what's done is done.

A: ...and can't - we can't just, like...

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Q1: What's done is done. We can't change that. That's over and done with. What we're talking about is...

A: I'm not talking about changing that. I don't - I don't...

Q1: No, but I'm saying about tomorrow. When - when tomorrow comes, when all this other legal B.S. is concluded and tomorrow comes, I'm hoping you're able to go forward after our conversation today and - and realize that there are resources for people who are in your exact situation. Not with no people who are 14 and 40 - 25 convicted...

A: Ain't no...

Q1: ...felons who committed murder and a slew of other things. I'm making \$40 an hour because of this program that we are talking about. So...

Q: The resources are available and - and I'm sorry if you never heard that speech before, but I can assure you we work with these people constantly and these jobs are available and the resources are there. If you're wanting to make the sacrifice and reach out and attend the training and get the information, it's - it's available.

Q1: And yeah, it's - it's six weeks and I don't know how we gone make ends meet, but them six weeks helps you for years...

Q: Can lead to six decades of - of success.

Q1: Yeah.

Q: It can break the cycle. It can change lives. I mean y- i- with you opening up and giving me a window into your world of what's going on there in your little duplex

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with that gal, that makes a lot more sense when I'm addressing what I'm finding in the apartment with that gal upfront and she's freaking out over the totality of the circumstances because now I have a better understanding of what not only you're going through, but what she's going through as well.

Q1: Because it's - it doesn't just affect the...

A: It's a lot of pushing man.

Q1: It is.

A: I can't handle this shit. I can't handle it sometimes.

Q1: It is.

A: It's easier to not care sometimes man. It's - it just is.

Q1: But you stop taking...

A: I've raised myself. I did prison bids by myself bro. I've build my life up to this point by myself bro. I don't even know people who - who able to even half-ass get that far and still be optimistic about anything. If I was that reckless and had that much ill intention to do wrong, there's no way I would've survived over a year of probation bro. We all know that. We seen people get out on probation and violate in two weeks and...

Q1: You're still going through the same thing.

A: ...and, like...

Q: It is what it is.

A: This is what I'm saying, so if I had any intention on just being malice about shit...

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Q: I don't think you have malice in your heart.

A: I wouldn't last a y...

Q: I don't...

A: I wouldn't of last a year on probation.

Q: ...think you got ill will. I honestly think at the end of the day knowing what's going on, you got caught in the fact that you're trying to provide for your people and there's a whole lot of bullshit going on in the world right now and so, thank you for not selling cocaine. I appreciate that because that shit is horrible. Marijuana's legal. It's not legal to sell. It's not legal to possess in those quantities, but thank you for not possessing cocaine because I don't - I don't - did you grow up here in Vegas?

A: Born and raised here.

Q: So then you - what year were you born? You were born in 90, right? so when you were a small man, do you remember the crack epidemic going on?

Q1: You see what it does to people?

Q: A- a- there are people in West Las Vegas who have never come back from that. I deal with them on a daily basis.

A: I know. They all my family. The never came back from that shit man.

Q: Exactly. So, again, selling trees is not the end of the world. It's, ah, like I said, in 40 something states in the country it's legal now. In fact the U.S. House of Representatives has a bill on the floor right now to legalize it federally or - or not

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legalize it, decriminalize it federally so again honestly, I believe that this is what this was. The problem is your girl's caught up now.

A: And I...

Q: Because there's no way that she can't know what's going on. So based on the totality of the circumstances I - I'm left to believe she knows what's going on so she's probably gonna catch heat from it to and that doesn't do anything good for that young man who's struggling in life right now.

A: But why would she though?

Q: Why what?

A: Why would she catch the heat for that? Knowing what that situation is like, nothing about that was malice.

Q: I - I totally understand, but you have to...

A: I understand the legal side of it. I understand that.

Q: I'm gonna present the facts based on what we saw. I mean, we got photographic evidence of what - what was going on...

A: I'm just saying I know every time something like that happens, you don't have to put the nail in the coffin for everybody that's involved in it.

Q: I - but here's where I sent right now, okay? Straight up. You go by Steph, Stephon, what do you go by?

A: Just Stephon.

Q: All right. Stephon, here - here's what it is on my plate right now. I do this work.

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We got the photographs. We got the evidence. This is what we recovered. This is a set of facts. Everybody says, "Man, I don't know nothing about nothing. I don't know nothing about what's in that house." So at the end of the day I have to write my report to say, "I came into this house based on this information. I got a search warrant. These are the things I found. It's reasonable to believe based on the information that I have set before me that both he and she were actively engaged in the conspiracy to sell narcotics within this residence where there's a young man who lives," that's owned or established a residence for narcotics sales with a child present is a separate felony. It involves a - a child abuse statute. There's an unsecured firearm inside the residence. It doesn't have a child lock on it and it's at a level where a child can obtain it. A child can get that firearm. It has access to it. It's not locked up. Again, that's a child ab- we've actually have officers from our agency lose their job because they left their duty weapon in a place where one of their children was able to take it and discharge their firearm inadvertently in a residence. It was a husband and a wife. They both were terminated and charged criminally from our agency. So, asking anyone saying, "Hey, you know what, this is mine. I did this. The other person doesn't know about it or this is the circumstances," I'm left to present the facts as they are Stephon. You understand what I'm saying?

A: So you basically saying unless I own up to all that shit...

Q: I'm - I'm not saying that at all. I'm just telling you on my side I have to document

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the facts.

A: No. I know. I understand that.

Q: So, a- as I'm going right now, when I talked to her last night, she didn't know anything about any firearms. Said she had no knowledge of any firearms, no firearms in the residence, no narcotics, nothing. She told me there would be no firearms allowed inside her house because she has a small child and she would never endanger her child. I do a search warrant on a room that you and her share and I find a gun right there. It's this high off the ground. Maybe two feet. A one-year-old child can access that firearm.

A: She a good girl. She don't need that.

Q: I'm not saying she's not a good girl, man.

A: She don't need that man.

Q: Do you understand what I'm saying though Stephon?

A: I do.

Q: I have to present the facts. So if I present the facts at the district attorney's office as they are now, it - it's not my decision. They're gonna say, "We're gonna charge these folks with a criminal conspiracy and all these charges." I'm just telling you right now based on my investigation, these are the facts that are before me. So...

A: So, it's more than likely she'll be charged too?

Q: As of right now, yes.

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A: And with what? Child endangerment?

Q: Probably the narcotics charge. The owned or established residence, ah, for narcotic sales with a child present and then there's the felony child abuse and neglect charge because the unsecured firearm was left. So...

A: Unless what?

Q: I still have to interview her. I'm here to interview you tonight. I still have to go and interview her.

A: Just saying, unless what?

Q: Pardon me?

A: I'm just saying, unless what?

Q: If someone...

A: She don't need that bro. That - that's - she don't even fucking barely have a fucking traffic ticket to my knowledge. She don't need that. Now, I mean, she probably do have a traffic ticket. I don't know, but I do know is she don't live like that bro.

Q: I - I don't know. I never met her. I've never met you.

A: I understand. That's why I said...

Q: So, I have to take this opportunity - it's my job as a detective to try to sort through all the information, right? I get a set of facts and then there's this person's version of the story. There's this person's version of the story. There's these facts and then we kind of lay 'em all out and then we make a presentation, this is

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what we found through the course of our investigation. That's our job.

A: That's why I said, or what?

Q: Unless there's some type of...

A: There is no - there's always a different side.

Q: Unless there's some type of mitigating circumstances or some additional information that I've learned throughout the course of my investigation then those are the facts that have to be presented in court, you understand?

A: And you mean that as in what? To me owning up to everything?

Q: I'm not asking to own up to anything that's not yours.

A: No - no. I'm - I'm not saying you're asking me. I'm just saying that - to get an understanding of the only way to protect her from that. All of that is going to occur unless what? There's always another side.

Q1: No - no. Her truth - this was her truth yesterday when she...

Q: I told you what her truth was yesterday.

A: She - she - she's - we all know what that is man. I'm not saying it's right. I'm not saying she had the right to say whatever she said or how she said it. I'm not saying that, you know, um, nothing about it isn't or - or is understandable, you know what I mean? All I'm saying is - man, that - that's not her problem. That's not her issue. That's...

Q: So, well I - I still have to talk to her about it.

A: But like...

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Q: You understand I have to talk to her about it, right?

A: I understand that man, but...

Q: Okay.

A: ...put it like this, this is...

Q: It's - it's not to be disrespectful.

A: I understand that. Me morally - me being quiet and letting her get in a situation like that is just as bad as me giving away my manhood and I mean that as far as anything that makes up a man that I respect about myself to just disarm and dishonor. You understand what I'm saying? Anything that my father may have taught me - anything that makes me, me will be dishonored by me just letting y'all walking out of here without trying to reason about her in that situation. She don't need that man. That's all I'm saying.

Q: I - I com...

A: You - you can lock me up for life. You can - you can...

Q: I'm not trying to lock anybody up for life.

A: I'm just - I'm just, you know, giving a - a - a...

Q: I understand.

A: ...broad understanding of - of where my expectations are with, you know, what I'm willing to accept.

Q: Okay. So if I'm understand what you're saying, I'm gonna paraphrase. You feel it's disrespectful to her to allow her to take the fall for this charge?

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A: That's disrespectful to her, her father, her family...

Q: But you have to understand if she's complicit, if she did that...

A: Man she - she's...

Q: ...that's not your fault.

A: I understand that.

Q: Everybody has to stand on their own two feet.

A: But - but it is my fault.

Q: She's forty something years old.

A: It is my fault because, you know, anything she would do in the situation, we had no contact at that time.

Q: At what time?

A: You know that was when they separated us.

Q: At what time? I'm sorry.

A: Like, that day. Yesterday.

Q: Oh okay. I'm sorry...

A: So what I'm saying is...

Q: I thought you were talking in the past.

A: So what I'm saying is anything that she would do or say is - is usually because she probably feels like that's what I expect her to say or do even though I didn't talk to her. They separated us immediately. He called me outside and he cuffed me outside.

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Q: Mm-hm.

A: So, I had no way of even, you know, telling her this or that or whatever because I thought it was actually a regular probation (unintelligible).

Q: I understand.

A: I had no knowledge it was getting to this point.

Q: That there was other stuff going on. Okay.

A: So, there was no reason for me to even give her a rundown of what to tell y'all in case y'all asked her 'cause I had no knowledge that anything was taking place.

Q: Which is why I tend to believe her when she tells me yesterday 'cause I know that you had not have an opportunity to communicate your thoughts to her because I watched them handcuff you outside.

A: That's - that's why I said, by her knowing me and by us being together for so long, whatever she did say or didn't say was because she more than likely felt like that's what I would want her to say or do in that situation which is not necessarily my truth though because I would never want her - I wouldn't look at her like she turned her back on me if she rejected anything, you know, about knowing about anything and put it on me. I would not - I would never put her in - in a negative light for that.

Q: Okay.

A: Because I understand what it is that she lives for aside...

Q: She has - she has a young man...

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A: ...from all the bullshit, I'm not her son.

Q: Right. She has a young man.

A: The same thing I told her - exactly. The same thing I told her when I first talked to her in here, "Regardless of what's going on with me, you still got somebody to provide for." They can fry me right now fucking for whatever may occur in the world, but he still gone be here though.

Q: Mm-hm.

A: You understand what I'm saying? So basically me trying to explain to her, don't do nothing to try to, you know, to think that you making it, you know, better for me or you being a - a - a loyal to me or nothing like that when it involves, you know, any type of harm being inflicted on how you go about belong a mother. Do you understand what I'm saying?

Q: Mm-hm.

A: I been around that kid since before he really started school and I didn't know him for nothing.

Q: How long y'all been together now?

A: Like, three years now.

Q: Okay.

A: And I didn't know him - I didn't know him for nothing, you know what I mean? I met her at a time where when I got off parole and I was trying to figure my life, but I always had enough respect for her to know that I don't want to dilute her

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with nothing about me which is why I stayed my distance from her. You know how many times I tried to get rid of her? Not saying like...

Q: I'm not gonna tell her you said that.

A: No. I'm not - I'm not saying like to treat her bad to get her to run away or nothing like that. I'm just saying that the times where I understand that she not use to. She don't have struggle bro. Her parents are homeowners. She don't have to struggle with me. Her sister's a homeowner. Her cousin's own businesses and you know true - true enough, they're about closest. You know how families are, but take me out of the equation, they would never let her fall too far because that's the foundation of their family.

Q: Mm-hm.

A: They're gonna always keep each other, you know...

Q: That's what families for.

A: ...sustained enough to continue to go upwards.

Q: Family's there to support you.

A: The only differenti- exactly. The only difference in that is me in the picture because of - of - of the love that's going on now amongst us. So it's like, you know what, whatever goes on we'll fucking sink on the Titanic together. From her philosophy though. I don't feel like that. I told her many times even when we couldn't pay the rent, "Why won't you go and - and go back? Go stay at your mom's house or something," like this shit is normal for me. I know it's not normal

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for you because your parents been homeowners since you was a kid. They bought that house that they - that they was living in and started their family, like, the - the classic way. So, I know it's not normal for you. You can't lie to me and tell me you use to fucking eviction notices and shit like that. Why don't you just go and, you know what I mean? But for - for - is - I don't know what it is about how she sees me, but something about me mean something to her. You understand what I'm saying? When I first start dealing with her bro, her dad was dying of cancer. Unbeknownst to me, I'm just looking at it, like, I'm just checking up on somebody that, you know, that has a good energy to me and that I know is going through something. When I'm checking up on her I don't even have deep thoughts about it all the time. I just know from what I don't been through in life that when it gets so hard like that you can only imagine, you know, how much it'll mean if somebody just at least showed that they cared. Especially nobody that have no connection to this. So, I would take away the - the time and energy for whatever it does for me and what's going on in my life to reach out to her and let her know, like, "Man, look. That - your world don't stop just 'cause that man is gone." That man lived a - a fucking hell of a life. He took care of his family. He raised his family. He - he bought a house for them. He fucking work construction for fucking 20 years. He got a pension. Whatever the fuck is - is - you know, he built with his life, I tried to get her to see the beautiful side of that. You understand what I'm saying? I know it's hurtful when people have to leave,

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but what I do from death and things like that is when they've lived a hell of a life death get - it can be a bad thing. What else do you want from that person? It'll be selfish of you to still want that person to be here. It's just the way shit is made up. They have to go. They have to go sometime.

Q: The moment you're born, you're dying.

A: That's what I'm saying. They have to go sometime. So, you know, what I'm saying is there has to be some alternative to me keeping that away from here. There has to be bro, like...

Q: Hey, listen...

A: I can't - I can't - I can't - I can't just let her...

Q: I'm not coming here and asking you to take responsibility for anything that you're not responsible for, okay?

A: And I - I - I never said you were.

Q: Okay.

A: I'm not...

Q: I just want you to understand.

A: I understand clearly and I don't care if you recording or whatever, but I'm not - I'm not responding to you as in you expecting me to say something or you, you know, trying to lead me into saying nothing. I'm not - that's not what's going on here.

Q: Okay.

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A: All I'm asking is...

Q: I just - I have to - I want you to understand that I have a pure heart when I say...

A: I - I - I do understand and I feel the energy.

Q: It's - it's my job to weigh facts and I...

A: And I feel the energy and I understand that, you know, you just getting across to me the structure of what's going on of the obligations of what y'all position is. I understand that.

Q: Absolutely. I have an investigation to do and I have to weigh facts.

A: But I'm saying is even within everything else you putting in the investigation, it can also include me shielding her from that. she don't have nothing to do with that bro.

Q: An- an- anything you tell me today...

A: You can - you can put any type of suggestion, she don't have nothing to do with that bro.

Q1: Okay. So if sh- if she doesn't have anything to do with it then what is it? What is the stuff in there?

A: What you mean?

Q1: Why is there a unsecure gun in the headboard? According to what you know. What is your truth? You talked about her truth. What's your truth?

Q: Yeah. I'm - I'm here for your truth.

A: And - listen, to my truth - to - to my knowledge - to my knowledge she - she's

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always been use to firearms and things like that. To my knowledge, her dad had a collection of guns and stuff like that too. You understand what I'm saying?

Q: Mm-hm.

A: But one thing I know about her is she's not no - bro she's not no fucking gun-toter bro. I never even seen her fucking kill an insect. If there's a bug in the house she's gonna scoop it up in the fucking - fucking dustpan and set it outside bro. That's the type of female she is. You understand what I'm saying?

Q1: Yeah - yeah.

A: And I'm looking at it, like...

Q1: She's got that caring loving heart.

A: That's - that's just - and...

Q1: And I - I have a sister who has a special needs child. So I have a special place in my heart. The people who raise, care for, and love special needs individuals have a different type of compassionate heart than other people because they have to look at the world in a different light.

A: It's piercing - it's piercing - it's piercing though. Me and her have times to where I would get mad her for being so loving to the world because from my point of view and how I'm looking through everything it's, like, man don't fucking care too much about people, like people will leave you, people will fuck you over, people will hurt you.

Q1: That's been your experience.

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A: That's what I'm saying.

Q1: Mm-hm.

A: So, at times I felt like I was polluting her because I was trying to get her to be able to protect herself and not look at everything through this, you know, butterfly glass...

Q1: Rose colored glasses, yeah - yeah.

A: Absolutely and just be - protect yourself and also, I'm not saying dismiss people as potentially having good character, but also be aware that they can potentially hurt you too.

Q1: Right.

A: The same way I could. As much love and loyalty and - and as much - man, it was only me and her there that night we lost our child. I never left her. I've never left her.

Q1: You had your child with her?

A: Yeah. We los- I lost my child with her.

Q1: Okay - okay.

A: But what I'm saying is I never left her because she never left me. I never left her. I didn't - I never got mad at her. Bro that was the hardest thing in my life to ever do. Doing ten years in prison was a cakewalk compared to how I had to stand up under that.

Q1: Mm-hm.

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A: Imagine cleaning your wife's blood after the floor bro after fucking - man, this shit is...

Q: It's tough. I've - I've never been there. I can't pretend to understand. I mean, I love - I've lost loved ones. I've lost my grandparents. I've lost both of my parents.

A: Man, I lost damn near my whole family bro and that shit ain't nothing like that type of...

Q: But I - I - I've never - I've never had a child to lost a child to know that love and to experience that pain of loving a child and losing child. I've never experienced that. Thank God.

A: Bro, whatever - absolutely and that's truly a blessing because it's something that I've never - it's a club I never thought I would be a part of.

Q: Mm-hm.

A: Something that I didn't even - you don't think about stuff like that.

Q: Parents don't think about burying their children.

A: You don't think about stuff like that. You don't - even when you hear it from other people, you don't even take the time to think, "What if that happened? How would I respond?" It's - it's just not a natural processing thing.

Q: I saw the way my grand- my grandmother was 80 when my father died and she said, "I never should have to bury a child," and that touched me and seeing this 80-year-old woman burry her 50-year-old son and say, "I never should've had to

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do this." So, I saw the pain in her eyes, but I never lived it. That - I came here tonight to get your truth so that I can get your side of the story.

A: All I'm saying to you is whatever she said about...

Q: I'm - I'm gonna have another conversation with her. Our conversation last night was relatively short before the totality of the investigation had unfolded.

A: Which is understandable, you know because it was just in (unintelligible) or...

Q: It was at the beginning...

A: Right.

Q: It was at the beginning before - before the search warrant was served. Obviously there's new facts that are known. So...

A: Man, look bro...

Q: I'm here to ask you your side of your story. What's going on there? What's your involvement in that? So that when I write your report I say, "On this date and time I talked to Stephon and Stephon indicated that he was involved in A B and C and that she was or was not involved in A B and C." And then it'll also read, "On this date and time I talked to her and she indicated that she did or did know or did or did not have involvement in any of these other things."

A: But I'm saying when you do that will you bring it to her knowledge of what I told you?

Q: I cannot...

A: 'Cause...

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Q: When I do investigations, I won't do this "Well, he said this thing about you." She saying...

A: No, but - but, I'm saying, like, it has to be brought to their attention the same way you brought it to my attention. Before you asked me my version of it, you told me what went on, on her side. All I'm saying is - is that same gesture gonna be given on that side of it? Before you try getting her side of it again, will you bring to her attention what I said about it?

Q: Yeah. Absolutely.

A: Just like you did with me.

Q: I have - I have her phone number 'cause I got her phone number last night to call her...

A: That's what I'm - that's what I'm saying.

Q: ...and get the, ah, to give her the house back when we were done with the search warrant 'cause I knew it was gonna be a while...

A: That's what I'm saying.

Q: I'll call her and I'll ask her to come and meet me and have a conversation with me. Then I'm gonna say, "Listen, I had a conversation with Stephon," ah, whether you do or you don't talk to her, I don't know, that's your own personal business. That's your relationship. Are y'all married or just dating?

A: Ah, we should be. I just put a ring on her finger bro.

Q: Okay. So maybe - maybe get married someday down the road?

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A: She stare at that shit e- she stare at that everyday bro.

Q: All right. Well, maybe when this is all over, maybe y'all get married, but listen, I'm gonna sit down with her. I'm gonna have the same conversation I had with you. I'm gonna say, ah, what is it? Jessica, right?

A: Yeah.

Q: I'm gonna say, "Ms. Jessica, here's the deal. Obviously, we were at your house. I'm gonna explain to you what's going on." She already know some of it 'cause there's paperwork left on her counter. She's gonna see, "Oh, they took all these things from my house." She's either gonna say, "Well, what the fuck was that doing in my house? How the fuck did that get here?" or "Oh, shit. They found it."

A: Right.

Q: Right? So, um...

A: 'Cause I'm not - I'm not telling to you know explain it to her in a way where you trying to convince her of what role to play with what you're describing to her. that's not what I'm asking you. All I'm saying is...

Q: I'm just throwing the facts out to her.

A: The same way - the same way it was explained in the reverse situation to how you explained to me what she said before you asked me...

Q: And tell her, "Hey, I had a conversation with Stephon..."

A: Right.

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Q: ...this - this is what he told me his involvement is...

A: Okay.

Q: ...I need to ask you now ma'am, what's your involvement?" and I - I just - I ask everybody the same thing.

A: Okay.

Q: Be truthful with me.

A: Okay.

Q: Being truthful is like being present. You either are or you aren't. You can't be 85% truthful because then you're 15% a liar. So, I - I...

A: She had no...

Q: I'm gonna ask her the truth.

A: She had no involvement in that. She don't even have the time to bro. She work all day.

Q: What she do for work?

A: She's a waitress at, ah, Peppermill.

Q: Oh okay. Um...

A: She works all day bro. She don't even fucking have the energy to be a part of nothing, but fucking being a mother bro.

Q: Okay.

A: Nothing at all.

Q: This isn't meant to be disrespectful or anything else and I understand that in this -

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in this instance you feel need to be a man and - and you wanna take accountability for what's yours, but I'm gonna ask you a couple of plenty of questions if you are being truthful with me because you're gonna know - you're either gonna know what it was or you're not gonna know what it was, right? If - if you didn't have any involvement, you're not gonna know some certain facts about what was or wasn't there, right?

A: Right.

Q: Okay. What did I find in the headboard of the bed?

A: You found, pretty much her money 'cause my money is what I had on me and you found the firearm.

Q: What kind of firearm?

A: It wasn't hers.

Q: Okay. What kind of firearm?

A: Nine-millimeter.

Q: Do you know the brand?

A: I don't. I know it was one I never seen before.

Q: How did you never seen it before, but you know it was there?

A: But I know it was there?

Q: Yeah. You said you never seen it before...

A: No. I never - I said it was a brand that I've never seen before.

Q: Okay. I apologize. I thought you were saying you never seen the firearm before.

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A: No. It was a brand that I never seen before.

Q: Okay. Can you describe what it looks like?

A: Um...

Q: Just generically?

A: I think it was all black.

Q: Okay. Was it a semi-automatic or a revolver? Do you know the difference?

A: It wasn't no revolver.

Q: You know the difference?

A: The revolver is the spin thing, right?

Q: Yeah. It's, like, a cowboy gun?

A: Not a revolver.

Q: Okay.

A: I think it was all black though.

Q: Okay.

A: Well, majority black.

Q: And what caliber did you believe it was?

A: Nine-millimeter.

Q: And you're certain of that?

A: Yeah.

Q: Okay. The marijuana that I found where did I find it?

A: In the bathroom.

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Q: Anywhere else?

A: Um, by the TV - by the TV.

Q: Which TV?

A: In our room.

Q: In your room?

A: Yeah.

Q: Okay. What was it packaged in?

A: What you mean?

Q: How was it stored?

A: Um, it was individually, um, put into one container because, like, majority of it, like the - the - not the - the loose - not the loose stuff, but the stuff that was inside something is the stuff that she smokes.

Q: Okay.

A: So that's why it was all put in there together.

Q: Okay. Where was her...

A: I'm saying because it's - it's - it's all weed, but...

Q: I understand it's all marijuana.

A: ...but the reason it was in something different was because okay this is the little shit that she'll roll up whenever she want.

Q: Okay.

A: You know what I mean? This is the stuff that probably a little bit too strong for

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her, but she'll roll up and smoke sometime. You know what I mean? So it's - it's - it's only to our, you know to our, um, to our understanding of how we go about our daily program basically.

Q: Okay.

A: As far as why it was separated and what it was that was separated.

Q: Okay.

A: You see what I'm saying?

Q: The scales and baggie. Where did I find the baggie and scales?

A: Um, I don't really know where the baggie was at though? 'Cause I gave it to...

Q: What about the scale?

A: Those had to be together wherever they were.

Q: Okay. You - you...

A: I don't really remember.

Q: You see what it looks like to me, right?

A: I understand. I completely understand. I don't really remember where the baggies were.

Q: Okay.

A: But I know that they were together.

Q: All right. That's fine. I'll agree with that.

A: All that belong to me. Everything.

Q: Okay. Were you actively involved in trying to sell a little bit of marijuana to make

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money? Remember, I only want your truth. I don't want her involvement. I just want your involvement. I'll ask her for her involvement.

A: If - only I - I ain't know what to do with it last minute like that. I just went back to the first thing that I was ever taught by somebody bro. That's...

Q: Can I ask you how...

A: That's...

Q: Can I ask you how old you were when someone taught you to sell drugs?

A: Taught me to sell drugs?

Q: Mm-hm.

A: Man, I been running the streets since I was nine-years-old bro. I start selling drugs at nine-years-old.

Q: What'd you start selling? Little bit of weed.

A: A little bit of weed, but that was...

Q: Was that on the West?

A: Nah. That was actually on the eastside 'cause on the Westside we had - it was too domestic over there at that time...

Q: Okay.

A: ...as far as grandparents and aunties and stuff like that knowing each other. So you would basically be...

Q: Catch - catch an as whooping.

A: Absolutely. You basically would be parented. Um, (unintelligible) because there

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was too many people around that...

Q1: That knew you.

A: ...and that, you know, knew my family and stuff like that. So, you know...

Q1: Gotcha.

A: ...you can't even solicit your way into fucking trying to do no shit like that without your nerves being fucking wrecked thinking that, you know what I mean? So, how that went about was basically, it's not like I'm a fulltime hustler at nine-years-old.

Q: No.

A: I'm not a - I'm not tripping over a program, you understand what I'm saying? Not re-ing up, but the first time the science of it is being broken down to me, yeah, I was about 9 years old.

Q: To me, that's while. At 9 years old...

A: And I resent that because...

Q: ...I was feeding cows.

A: ...I see an eight-year-old now. I tell her that all the time. Sometimes you gotta stop because I forget that I'm talking to a kid.

Q: Mm-hm.

A: So when he tells me something that he thinks is exciting and through the roof, my natural reaction is, "Bro, you know what I was doing at eight-years-old bro?"

Q1: Mm-hm.

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A: Then I'm, like, "I'm - I'm sorry because I don't want you to..."

Q1: Your - your childhood growing up...

A: And that's...

Q1: ...is different than his reality.

A: I don't wanna dilute you...

Q1: Yep - yep.

A: ...and I don't want your imagination to start running.

Q1: Mm-hm.

A: You understand what I'm saying?

Q1: Yep.

A: And to trying to figure out what it could be that he was - I don't want you to do that...

Q1: Mm-hm.

Q: Mm-hm.

A: Because I understand you look up to me as a role model or somebody to protect and I'm not gonna pollute you like that bro. Half the time I'm around him, I got my shirt on.

Q1: Mm-hm.

A: You don't need to see tattoos. You - I don't - I'm - I'm just conscious of what the mind is like at that age because I remember what my mind was like.

Q: You were very impressionable.

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A: I remember what my mind was like.

Q: Very impressionable at that age.

A: I was more observant and more of a sponge...

Q: Mm-hm.

A: ...than the people that were suppose to realized and I picked up all the things
that, not that they hid from me, but that...

Q: Maybe they didn't want you to know.

A: ...that they didn't want me to know, but at the same time that they thought I
wouldn't be curious enough about to be interested in it.

Q: Mm-hm.

A: You understand what I'm saying? Like, if I see a grown man fucking counting
money and fuckin with coke on the table and I'm just a 8-year-old walking past,
most times they wouldn't think that you would even, you know...

Q: Pay them any mind.

A: ...be mature enough to even have a question about what it is they're doing.

Q: Mm-hm.

A: A actual legit question to try to get a real answer. You might say something out
of being a kid, like, what y'all doing? But that's not an insight, you know what I
mean, like, that's not, "Oh, what is that?" like...

Q: Mm-hm.

A: You understand what I'm saying? So, I remember what my mind was like at that

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age. It's - it's - it's a bad thing especially now when I see kids or anybody - teenagers, anybody. When I see anybody going through the stages and time point in time periods where I remember what my mentality was like, it makes me feel worser about myself because I'm like that's the proof right there that I am as bad as they say I am. You can't tell me I'm not. I know I am. I might not - that might not be the complete reflection of who I am, but that's a part of me though because at this age I can't even imagine seeing these 15-year-old kids, you know, out here trying to be adults in the street lifestyle. When we were 14-years-old thinking that we were relevant people, you understand what I'm saying?

Q: Mm-hm.

A: Amongst people that was fucking seasoned vets in this type of shit, but we actually had the nerve to think that we had some respect from these people.

Q1: Mm-hm.

A: Bro, you 13-years-old...

Q: All the youngsters...

A: You don't even...

Q: ...think they're smarter than the O.G.'s.

A: But that's what I'm saying. So...

Q: You know that now that you've lived that life.

A: Absolutely. So, when I see, um...

Q: You've reached O.G. status to look back and be, like, "Hey, look at these

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youngsters. I thought I knew everything."

A: Exactly. Absolutely, so when I see those - when I see them at those ages all the way down from fucking 17 to 8-years-old, I remember where my mind was at every time period. I know exactly where I was living at and pretty much for the most part what I was doing when I was living there. You understand what I'm saying? So, it's like everything about that is reflected every day that I'm present in this environment because it's making me keep myself intact because I can't afford to let, you know, my reckless habits spill out in any type of way because people are affected by that.

Q: Mm-hm.

A: If I'm too caught up in, you know, my gangster memories and all this type of shit and I'm just fucking recklessly talking on the phone like I'm fucking have a, you know what I mean, a fucking hip hop conversation or something...

Q: Little man's listening.

A: I gotta remember that at 8-years-old I wasn't as dumb as they thought I was.

Q: Mm-hm.

A: I probably...

Q: You weren't - you weren't as oblivious as what they thought you were.

A: Right. I wasn't and even, you know, at recent points...

Q: You were picking up - you were picking up the game.

A: Absolutely. At recent points in my life, I've had conversations like that with

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certain people that I remember being around. I would just ask them a random question, like, "Bro you - you - who you," you know because sometimes I don't necessarily remember specially who the people were, but I remember who was around at that time. So, you know, if I had a memory, like, I saw one of my older cousins loading a gun, I probably don't, you know, I'm not sure that that was you, but I know that you weren't locked up at that time and you was staying at my grandma house. So, I would bring it up just to see if you have any recollection of that day.

Q: Of loading a gun in front of you.

A: You know what I mean? Because I remember seeing that vividly. The picture is vivid. It's like in the movies where the whole picture is vivid but the face is like splurred out.

Q: A little bit blurred out. Yeah

A: You know what I mean? That's exact- that's the - the best way I can put it. That's exactly how it looks to me when I think about those memories at different ages. That's exactly how it looks to me. I remember seeing the picture and everything.

Q: Have you ever loaded that gun in front of little man?

A: No. Hell no.

Q: Does - does he know that gun's there?

A: Hell no.

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Q: Okay.

A: Hell fucking no.

Q: I gotta ask, right?

A: I understand, but hell fucking no. I don't - I don't...

Q: That's your DNA. Am I gonna find it on that gun?

A: Yeah.

Q: All right. I appreciate your honesty. I do. Because there's only one person who can settle your side of the story and that's you.

A: Absolutely. In the - in the, you know - you know, in the sense of her and him?

Oh, there's no way. The - the codes don't matter anymore at that point. You understand what I'm saying?

Q: The whole G code?

A: The whole - there's no reason to talk. Let the court take, like, in that type of situation, that don't fucking matter. I've seen that a 1,000 times to where I've seen situations like that and I'm like there's no way you was suppose to let that lady get in no shit like that. I understand if it did - it just happened - sometime life be so fast that, you know, even when you try to get somebody away from something, all the time they gone take to it.

Q: Mm-hm.

A: 'Cause sometime shit is just moving that fast and life is happening.

Q: Mm-hm.

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A: But when it all slows down and it stops, "Bro, come on. You know you wasn't suppose to let her, come on bro." I've seen that a thous...

Q: I've watched a man take a violation in the feds for 18 months and let his girl who never had a case in her life take eight to ten years because she grabbed his gun and dope. She got his gun and his meth and said, "No - no - no - no. It's all mine. It's all mine. He didn't have nothing to do with it."

A: That's what I'm saying.

Q: She never had a case in her life.

A: This is what I'm saying.

Q: But because she said she loved him and they got married after only knowing each other for a week, she took a eight to ten year bid on his behalf.

A: And this is what I'm saying, in that situation, it's not always, us trying to mold them into being that for us when the time comes. It is with - with - in a lot of situations. It happens like that.

Q: I g- I gave him the same opportunity I gave you. He said, "Nope. I know nothing about nothing. Fuck you. Take me to jail." I talked to her and I said, "Listen, he said he don't know nothing about nothing. I'm asking you now to tell me the version of the truth. Not - not what you think he wants you to say or anything else. I want you to tell me the real truth," and she jumped on that sword and was, like, "I did that."

A: This is what I'm saying, I'm, you know, I - that's clear to me, but what I'm saying

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is the same way of this situation, her doing that, you know, in those type of situations, it doesn't always come from, um, you know him trying to mold her to do that.

Q: Mm-hm.

A: Or convince her that if ever this time comes, this is what you need to do.

Q: It's out of love or dying loyalty or whatever.

A: Sometimes - whatever are and whatever makes up with him...

Q: They're going to.

A: ...you know, aside for God. That's something that they feel...

Q1: They have to do.

A: ...like is worth more than anything to them.

Q1: They've known each other a week and they went and got married. Aye, that's - that's on them.

A: In three years we never left each other side bro and I can never allow myself to - I will never bro. I would never in life.

Q: Okay. I have - I have to give you this, ah, this is the receipt. This is the pink copy. It just says that I took the two (unintelligible) swabs. If you can just hold this for me so I can take a photograph and just to, ah, just to hold it on your lap there, that - the pink copy there and then I just take a photograph to show that you received your copy. Do they have an issue here with him retaining the paper?

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Q1: Ah...

A: I don't think so because I got my phone number on me.

Q1: Okay.

Q: Oh okay.

Q1: But I - that piece of paper, they may just put it in your property. Just so you know.

Q: Because it does have your personal identifying information. It has the double copy.

((Crosstalk))

Q: Did you have any other questions about it? You've had time to read it, correct?

A: Yes. I have no questions bro. I'm just - I'm just - I just wanna know, like this is gonna be with me. You understand what I'm saying, like...

Q: I understand.

A: You know, um, but I don't fucking, like, I don't know. I don't think to the other side of it. I just go through day by day. So I don't think of, you know, what step is...

Q: That's how you lived the majority of your life man.

A: I'm - I'm saying as far as - I'm saying as far as trying to figure out, you know, what the punishment is for something like this. You understand what I'm saying? Like, I'm not gone drive myself crazy with that because most times, you know, one thing I do remember taught is to, you know, be aware of the crimes you

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breaking, you know what I mean? And know the potential time that you have from anything that you doing that's illegal. So, you know, it's just, you know, it's - it's my problem to deal with. That's the only thing I can boil it down to because there's no way in hell is it's respectful in any type of way bro to let her include herself in that.

Q: Well, like I said, I'm gonna have the same conversation with her to give her that respect. I gave you the same respect and, ah, I expect that any detective who conducts an investigation will be respectful in the same manner because everybody deserves to be treated with respect. Does that make sense.

A: And you will make sure that - that gets across to whoever?

Q: The same candor and demeanor I had with you will be the same with her. I can promise you because that's the way I do business. You and I never met before. So all I have is my word when I meet someone that I've never met. So, when I tell someone I'm gonna do something, I do it. if I don't, that person thinks I'm a liar and I've lost all credibility with him. I can never make another first impression.

A: Yeah.

Q: So, I'm not asking for your - you to believe in me or believe I'm truthful. I just...

A: I'm not - I'm don't - I don't...

Q: I'm a real person and that's the way I conduct myself.

A: I'm not in a position to debate that or not. You know what I mean?

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Q: I understand.

A: So...

Q: But I'm just saying that - that's the manner in which I conduct myself. So...

A: But all I'm saying is bro that - that there's no way. There's no way. I can never be allowing that to happen.

Q: Okay.

A: I never see me allowing that to happen.

Q: You have any other questions for us? If not, we'll drop your paperwork and property...

A: You said this will, ah, well, since it is a sales it'll be treated just like a regular drug sales case, right?

Q: Yeah, like what you're on paper for. Yeah.

A: And a firearm?

Q: I have honestly no idea. July 1 of 2020 is all new laws and sentencing guidelines and things all went into effect and I absolutely have no idea what the new sentencing guidelines are. They're completely different from what they used to be.

A: You don't have a scale?

Q: I - I don't. I promise you I don't. I'm not gonna lie to you. Um, if you can go to the - the law - do you guys - I'm sure you guys got a law library here or some type of legal...

Q1: Mm-mm.

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Q: No?

Q1: They do have books.

Q: Okay. Well, so I know you're gonna transfer over to CCDC and I know that you have that option over there, um, try to get ahold of the most recent copy of the (unintelligible) of Rights Statute. The sentencing guidelines, I - like I said, they just changed a month a half ago. Everything just changed.

Q1: (Unintelligible) weighs everything. So...

Q: Yeah. The weights are different for trafficking charges, drug weighs, everything, ah, theft values, everything changed.

A: So, you think it's a potential, ah, these drug charge being reduced?

Q1: There's always a potential for anything.

A: Because my - my - what I'm saying is my initial charge that I'm on this for was trafficking.

Q: How much did you - how much weight did you have?

A: Like, two grams less than an ounce maybe.

Q: Okay, under the new sentencing or under the new laws, that's not trafficking anymore. The trafficking weights are dramatically higher for things like, cocaine, heroin, methamphetamine. The trafficking weights are now much higher.

Q1: Yeah.

A: That's what - that's what I'm saying though, like in the same situation, by this being charged as whatever the fuc- what is it?

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Q1: Possession with the intent to sell.

Q: Possession with intent to sell.

A: Right, that's what I'm saying. You see how that went from trafficking to possession with intent to sell.

Q: An- anything's possible. Again, we don't make those deals. We just present the facts to the district attorney and...

Q1: That - yeah, that's up to the lawyers and the judge.

Q: ...and go - go with it from there. I honestly - I would be lying to you if I tried to give you a number and I'm not gonna do that because everything's so new. It's literally a month and a half and the month and a half the laws went into effect, the courts have almost been closed because of COVID. I mean, there's almost no - there's no jury trials going on.

Q1: There's no precedence - there's no precedence to go off of.

Q: There's no - I mean, they're having video court for people who are in custody.

A: So what's the - what's the (unintelligible).

Q1: We - we don't know. We really don't know.

Q: Everybody's waiting to find out.

A: It's - I'm saying, to like - like - what...

Q: Every - the majority of cases got continued to August and then...

A: September.

Q: ...now August is here and over and they're like...

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Q1: They're pretty much taking murder cases. Them the only ones that are showing up in person. Everything else is video court. There's no precedence to say, "Okay, well the person that had the same charges as you got this much time or that much time." We don't know.

Q: So, the global pandemic shut everything down. We never dealt with this before.

A: So, nobody's going to court? What you saying?

Q: Some people are going to - you going to court but you going in on video.

A: Right - right.

Q: So you look at the camera and, "Hey, your honor."

A: Right.

Q: And even people are appearing from their attorney's offices...

Q1: Yeah.

Q: ...where their attorney, "Hey, we're here in our office." The district attorney is at their office. The judge is in their office.

Q1: The witness is at home on - on video phone or...

Q: On zoom or whatever and they're trying to do things that way. It's just it's - we never been at this place in the history of the world. I mean, it's - the whole world's messed up right now. So, again, for me to try to give you some type of a number here, it'd be a lie.

A: I understand. That's cool, you know, I'm just saying, like...

Q1: But ultimately - ultimately at the end of the day all of that rest with the judge at

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the end of the day anyone.

A: Right.

Q1: All that depend on what side of the judge - what side of the bed the judge woke up on. They're having a good day, "Here you go. Take the ankle monitor and go back on out the door. You do it again and I'm sending you up for the whole full 48."

A: All right.

Q1: Or you know what...

A: That won't happened with this though.

Q1: That we don't know.

Q: I - I honestly can't tell you. You're gonna have to - North Las Vegas Jail is completely different than Metro Jail.

A: I understand.

Q: So they got a whole different program they're doing over there and numbers that they're allowed to have due to COVID and everything else and everything gets weighed out based on the totality for - your - your main issue for you - keeping you in custody right now is your probation...

Q1: Probation violation.

Q: That's your main issue.

A: I understand and that's what I was going back to because the only conflict that I see and you know me being able to deal with this, you know, in a better situation

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than just fucking being slapped on probation shit is the - the - this, ah, you know, um, ah, miscommunication between me and the PO he feels like...

Q: He's gonna come and serve you with your violation notification.

A: I understand.

Q: He ha- I think he has seven days to do that or something.

A: Right.

Q: So, you'll have that opportunity to have that conversation.

A: 'Cause he feel like I dismissed him.

Q: Mm-hm.

A: But what I've been explaining pretty much to everybody since I've been here, I didn't even know who the man was. I never met him in my life. I wasn't dismissive.

Q: You don't feel like you were being disrespectful to him, you just didn't know who he was.

A: I didn't know who he was and I didn't know what the situation was.

Q: Mm-hm.

A: So, when you're asking me stuff, I'm, like, "What's going on?"

Q: I actually have to speak with him because I have to give him some paperwork and some photographs...

A: This - this is the only thing...

Q: Would you like for me to relay to him that...

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A: Absolutely, the only thing that I want you to relay to him is that, um, PO before him called me and let me know that I was going to be transferred to him.

Q: Mm-hm.

A: I was aware of his name, but mind you that was two months ago.

Q: But you had no face. You had no idea.

A: I had no understanding or knowledge that that's who I was talking to at that point.

Q: Okay.

A: Because had I known that - I've been on parole before.

Q: Mm-hm.

A: And I been on probation for a year. There would be no point or no reason for me to fucking try to send him through a loop knowing the power that he has in this situation.

Q: Mm-hm.

A: That wouldn't even make sense. All it would be doing is frustrating him and agitate him that I'm stupid enough to act like, you know, I didn't pretty much sign over my rights to be on probation. You understand what I'm saying? So...

Q: Oh, I understand.

A: It's like the only problem or miscommunication, I didn't know who he was.

Q: I - I have to call Mr. Vargas tonight because he needs the photographs that we took.

A: Yeah, I didn't know that was him.

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STATEMENT OF: Stephon Whitney

Q: And I - I have to get his email address. So when I call him I'll - I'll let him know I spoke with you tonight and I'll let him know that there was a - a misunderstanding on your behalf because of not knowing who he was initially.

A: That's all it was. I didn't know who he was.

Q: Okay. Can I get that paperwork from you as well? Oh you...

Q1: (Unintelligible). All right. See you.

Q: All right man. Best of luck to you sir.

A: Thank you.

Q: End of interview. Time is 1858 hours on 9-3 of 20-20. Myself, J. Costello, P# 9139, Detective M. Cook, P# 2201, North Las Vegas present.

THIS VOLUNTARY STATEMENT WAS COMPLETED AT Clark County Detention Center ON THE 3rd DAY OF September, at 1719 HOURS.